

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)
) CASE NO. MJ 10-535
Plaintiff,)
)
v.)
) DETENTION ORDER
RODNEY SHIMANEK,)
)
Defendant.)
_____)

Offense charged: Felon in Possession of a Firearm

Date of Detention Hearing: December 23, 2010

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) Defendant, having previously been convicted of the felonies of Assault in the Second Degree, Unlawful Possession of a Firearm in the Second Degree, and Possession of a

01 Controlled Substance (Cocaine), is charged with possessing eight firearms, six of which were in
02 a safe, two of which were located in the living areas of the home. One of the guns was
03 magnetically secured to the underside of a table in the home. The Complaint alleges that
04 defendant fired a firearm outside into the air in his apartment complex in the presence of a
05 number of neighbors, followed by the defendant getting another firearm and shooting it toward
06 the ground. The Complaint alleges that this firearm had a “silencer” attached to the barrel.

07 (2) Defendant reportedly is a frequent consumer of oxycontin, methadone, and other
08 pain medication, which he takes for back pain. He also allegedly uses heroin when he runs out
09 of medication. He has several mental health issues.

10 (3) Defendant poses a risk of nonappearance due to controlled substance use, mental
11 health conditions, a history of failures to appear and violations of supervision (although some
12 years in the past), and association with two alias dates of birth. He poses a risk of danger due to
13 criminal history and the nature and circumstances of the instant offense.

14 (4) There does not appear to be any condition or combination of conditions that will
15 reasonably assure the defendant’s appearance at future Court hearings while addressing the
16 danger to other persons or the community.

17 It is therefore ORDERED:

18 (1) Defendant shall be detained pending trial and committed to the custody of the
19 Attorney General for confinement in a correction facility separate, to the extent
20 practicable, from persons awaiting or serving sentences or being held in custody
21 pending appeal;

22 (2) Defendant shall be afforded reasonable opportunity for private consultation with

counsel;

(3) On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility in which defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and

(4) The clerk shall direct copies of this Order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services Officer.

DATED this 23rd day of December, 2010.



Mary Alice Theiler
United States Magistrate Judge